

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
)
) Cr. No. 16-10280-MLW
)
DAVID MAGLIO,)
Defendant.)

MEMORANDUM AND ORDER

WOLF, D.J.

April 19, 2019

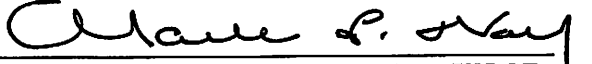
The court has considered the parties' responses to the April 16, 2019 Order, which state that defendant David Maglio does not request an opportunity to enter a conditional plea pursuant to Federal Rule of Criminal Procedure 11(a)(2) and the government does not consent to the entry of a conditional plea.

It is hereby ORDERED that:

1. Defendant's Motion to Withdraw Guilty Plea (Docket No. 118) (the "Motion") is ALLOWED. See United States v. Ochoa, 353 F. App'x 390, 394 (11th Cir. 2009); United States v. Pierre, 120 F.3d 1153, 1156 (11th Cir. 1997); United States v. Gustafson, 1994 WL 235322, *1 (9th Cir. June 1, 1994).

2. A pretrial conference shall be held on April 24, 2019, at 11:30 a.m. At that conference the court will amplify the reasons for allowing the Motion, question defendant about his request to represent himself at trial, and discuss whether stand-by counsel should be appointed to assist him if he represents himself at

trial. See Faretta v. California, 422 U.S. 806 (1975); United States v. Robinson, 753 F.3d 31, 42-46 (1st Cir. 2014).


UNITED STATES DISTRICT JUDGE